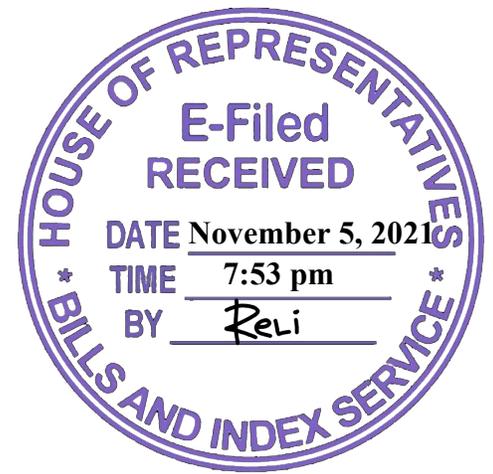


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

EIGHTEENTH CONGRESS  
**Third Regular Session**

HOUSE BILL NO. 10445



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Introduced by **HON. JOY MYRA R. SALVADOR-TAMBUNTING**

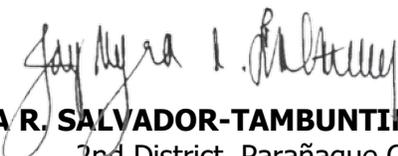
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#### **EXPLANATORY NOTE**

Office bullying is a persistent problem in workplaces. It is among the reasons for high turnover in workplaces. Office bullying could be in the form of physical harm; emotional and mental harm, profanity, name-calling; negative comments on how a person looks and dresses; cyber-bullying; spreading of rumors; false news; and gossip. More often than not, office bullying is overlooked and ignored by employers. In worse cases, employers or the management themselves takes part in bullying. This act not only negatively affects victims of bullying, it also affects the overall productivity of workplaces and often disrupts the delivery of much needed services for the public.

This measure seeks to uphold every working Filipino's dignity and to guarantee that there is respect of human rights in all work environments. This proposal seeks to expand protection against bullying in the workplace by requiring all government and non-government offices and establishments to adopt policies to prevent and address the acts of bullying and other similar acts in the workplace. This measure shall mandate offices to establish clear procedures and strategies to ensure that acts of bullying are reported and are penalized.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.

  
**JOY MYRA R. SALVADOR-TAMBUNTING**  
2nd District, Parañaque City

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
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EIGHTEENTH CONGRESS  
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**AN ACT MANDATING THE ADOPTION OF ANTI-BULLYING POLICIES IN THE  
WORKPLACE**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

**Section 1. Short Title.** – This Act shall be known as the “Anti-Office Bullying Act.”

**Sec. 2. Adoption of Anti-Office Bullying Policies.** – All government and non-government offices, and business establishments, are hereby directed to adopt policies to address the existence of office bullying and other similar acts in their respective institutions. Such policies shall be regularly updated and at a minimum shall include provisions which:

a) Prohibit following acts:

1. Office Bullying – any severe or repeated use by one or more employees of a written, verbal or electronic expression, or a physical act or gesture, or any combination thereof, directed at an employer, co-employee, or any person with whom he/she has professional relations or dealings that has the effect of actually causing or placing the latter in reasonable fear of physical or emotional harm or damage to his property; creating a hostile work environment for the employer, co-employee, or any person with whom he/she has professional relations or dealing; infringing on the rights of another at work premises; or materially and substantially disrupting the orderly operation of the office; such as, but not limited to, the following:
  - i. Any act that causes physical or bodily harm;
  - ii. Any act that causes harm to a victim’s psyche and/or emotional and/or moral well-being;
  - iii. Any slanderous statement or accusation that causes the victim undue emotional distress like directing foul language or profanity at the target, name-calling, tormenting and commenting negatively on victim’s looks, clothes and body; and
  - iv. Cyber-bullying or any bullying done through the use of technology or any electronic means.
2. Any abusive acts or behavior which include but are not limited to the following:
  - i. Offering, publishing, distributing, circulating and spreading rumors, false news and information and gossip about, or any act against or direct against an

- ii. Disrespecting and devaluing an employer, a co-employee, or any person with whom he/ she has professional relations or dealings through disrespectful and devaluing language;
  - iii. Management by threat and intimidation;
  - iv. Stealing credit and taking unfair advantage of an employer, a co-employee, or any person with whom he/she has professional relations or dealings;
  - v. Preventing access to workplace, career, and office opportunities to an employer, a co-employee, or any person with whom he/she has professional relations or dealings; and
  - vi. An act or behavior shall be construed as abusive if it results to any or all of the following:
    - 1) Destroys or undermines the character, image status, reputation, morale, and credibility of an employer, a co- employee, or any person with whom he/she has professional relations/dealings;
    - 2) Discredits, destroys and undermines the work, results of the work, awards, career, vocation, craft, professional status, productivity, performance, and talents of an employer, a co-employee, or any person with whom he/she has professional relations or dealings;
    - 3) Causes divisive effects among employees, employers, officers, and other members of the government and non-government organizations, business establishments, their clientele, and any other person engaged by government and non-government organizations, business establishments in their respective professional capacities.
- b) Establish clear procedures and strategies for:
    - 1. Reporting acts prohibited under this Act;
    - 2. Responding promptly to and investigating reports of acts, which are prohibited under this Act;
    - 3. Ensuring the protection of the person who reports any of the prohibited acts, provides information during an investigation of the prohibited acts, or is witness to or has reliable information about any of the prohibited acts;
  - c) Enable employees to anonymously report any of the prohibited acts: Provided, however, That no disciplinary administrative action shall be taken against a perpetrator solely on the basis of an anonymous report; and
  - d) Subject the perpetrator/s who knowingly makes a false accusation to disciplinary administrative action.

**Sec. 3. Mechanisms to Address Office Bullying and/or other Prohibited Act.**

- a) The administrative office or officer, human relations office or officer, or any person or office holding a comparable role shall be responsible for the implementation and oversight of policies intended to address office bullying and other prohibited acts;
- b) All government and non-government offices and business establishments shall provide their employees a copy of the policies being adopted. Such policies shall likewise be included in the employees' handbook and shall be conspicuously posted on the office walls and website, if there is any.
- c) Any employee shall immediately report any instance of office bullying and other prohibited acts witnessed, or that has come to one's attention, to the administrative office or officer,

human relations office or officer, and/or any person or office holding a comparable role. Upon receipt of such report, the administrative office or officer, human relations office or officer, or any person or office holding a comparable role, shall promptly investigate.

- d) If it is determined that bullying and/or other prohibited acts have occurred, administrative office or officer, human relations office or officer, or any person or office holding a comparable role, shall:
  - a. Notify the law enforcement agency if the administrative office or officer, human relations office or officer, and/or any person or office holding a comparable role believes that criminal charges under the Revised Penal Code may be pursued against the perpetrator;
  - b. Take appropriate disciplinary administrative action.

**Sec. 4. Reportorial Requirements.** –

- a) All non-government offices and business establishments shall inform the Department of Labor and Employment in writing about the policies against anti-office bullying and/or other prohibited acts formulated within six (6) months from the effectivity of this Act. Such notification shall likewise be an administrative requirement prior to the operation, creation, or establishment of new non-government offices and business establishments.
- b) All government offices shall inform the Civil Service Commission in writing about the policies against office bullying and/or other prohibited acts formulated within six (6) months from the effectivity of this Act.

**Sec. 5. Sanction for Non-Compliance.** – In the rules and regulations to be implemented pursuant to this Act, the Secretary of the Department of Labor and Employment and the Chairman of the Civil Service Commission shall prescribe the appropriate administrative sanctions on any administrative office or officer, human relations office or officer, or any person or office holding a comparable role, who shall fail to comply with the requirements under this Act. In addition thereto, erring non-government offices and business establishments shall likewise suffer the penalty of suspension of their permits to operate.

**Sec. 6. Implementing Rules and Regulations.** – Within ninety (90) days from the effectivity of this Act, the Department of Labor and Employment and the Civil Service Commission, respectively, shall promulgate the necessary rules and regulations to implement the provisions of this Act.

**Sec. 7. Separability Clause.** – If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

**Sec. 8. Repealing Clause.** – All laws, presidential decrees or issuances, executive orders, letter of instructions, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

**Sec. 9. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

*Approved,*